

SO ORDERED.

SIGNED this 18 day of June, 2010.



**ROBERT E. LITTLEFIELD, JR.
CHIEF UNITED STATES BANKRUPTCY JUDGE**

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

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IN RE:

Eric D. Crisler and Cheryl P. Crisler,

DEBTORS.

CASE NO.: 09-13355-rel

Chapter: 13

JUDGE: ROBERT E. LITTLEFIELD, JR.
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**ORDER CONDITIONALLY GRANTING RELIEF FROM
THE AUTOMATIC STAY**

Coming before the court on June 10, 2010 is the motion of U.S. Bank, NA (the "Movant"), by its attorneys Rosicki, Rosicki & Associates, P.C. for Relief from the automatic stay (the "Motion"), and after due deliberation, it is hereby

ORDERED that the Motion of Movant is conditionally granted as set forth below, and it is further

A. ORDERED that on or before June 30, 2010, the debtors shall make payment to Movant in the amount of \$2000.00 towards their post-petition arrears on their mortgage and the

Debtors shall amend their Chapter 13 Plan on Notice to all listed Creditors within 20 days of the entry of this order, to include the remaining post petition balance on their mortgage in the amount of \$5,482.60; such payments are to include principal, interest, late charges, reasonable attorney fees and costs in the amount of \$400.00 for a total sum of \$7,482.60; such sum shall be good through May 31, 2010 and said arrears are broken down as follows:

7 Late Payments (11/1/09-5/1/09) at \$979.63 each	= \$6,857.41
7 Late Charges (11/1/09-5/1/09) at \$12.17 each	= \$85.19
Reasonable attorney fees	= \$250.00
Reasonable attorney costs	= \$150.00
Inspection Fees	= \$140.00
Total	= \$7,482.60

and said arrears are to be paid as follows:

AMOUNT	DUE BY
\$2,000.00	June 30, 2010
\$5,482.60	Through the Chapter 13 Plan,

And it is further

B. ORDERED that the Movant shall file their Proof of Claim to include the above mentioned arrears in the amount of \$5,482.60 to be paid to Movant through the Debtor's Chapter 13 Plan, and it is further

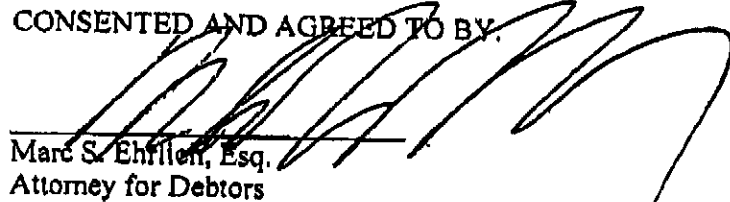
C. ORDERED that the Debtors shall make timely regular monthly payments to Movant at the address listed below by the 1st day of each and every month, commencing with the June 1, 2010 payment, and said payments shall be the form of certified funds and mailed to:

U.S. BANK, NA
4801 Frederica Street
Owensboro, KY 42301

and it is further,

D. **ORDERED** that in the event the Debtors fail to include the post petition arrears as described in paragraph "A" hereinabove in their Plan and/or any subsequent amended/modified Plans (if any), or fail to make payment as described in paragraph "A" hereinabove or fail to make the timely payments described in paragraph "C" hereinabove, and thereafter fails to comply with a Ten (10) Day Notice to Cure, then ten (10) days after serving upon Debtor, Debtor's counsel, the case trustee, and filing with the Court an Affirmation of Non-Compliance, unless a counter-affidavit is filed with the Clerk of the Court and served on Movant's counsel, which shall be limited to the defense that the payment(s) have, in fact, been paid before the expiration of the cure period and have not been properly credited, the automatic stay will be deemed terminated, without any further action by the Court pursuant to 11 U.S.C. §362(d)(1) as to Movant, its successors and/or assigns lien interest in the premises.

CONSENTED AND AGREED TO BY:



Marc S. Ehrlert, Esq.
Attorney for Debtors

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